

JUDGE CROTTYUNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**ORIGINAL**

- - - - - x
:
UNITED STATES OF AMERICA :
:
- v. - :
:
MICHAEL EARL RODRIGUEZ, :
:
Defendant. :
:
- - - - - x

INDICTMENT**15 Cr CRIM 756**

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED NOV 2 2015

COUNT ONE

The Grand Jury charges:

1. In or about August 2015, in the Southern District of New York and elsewhere, MICHAEL EARL RODRIGUEZ, the defendant, together with others known and unknown, intentionally and knowingly did combine, conspire, confederate, and agree together and with each other to violate the narcotics laws of the United States.

2. It was a part and an object of the conspiracy that MICHAEL EARL RODRIGUEZ, the defendant, and others known and unknown, would and did distribute and possess with the intent to distribute a controlled substance, in violation of Title 21, United States Code, Section 841(a)(1).

3. The controlled substance that MICHAEL EARL RODRIGUEZ, the defendant, conspired to distribute and possess with intent to distribute was marijuana, in violation of Title 21, United States Code, Section 841(b)(1)(D).

(Title 21, United States Code, Section 846.)

COUNT TWO

The Grand Jury further charges:

4. On or about August 21, 2015, in the Southern District of New York and elsewhere, MICHAEL EARL RODRIGUEZ, the defendant, during and in relation to a drug trafficking crime for which he may be prosecuted in a court of the United States, namely, the conspiracy to distribute and possess with the intent to distribute marijuana charged in Count One of this Indictment, knowingly did use and carry a firearm, and, in furtherance of such crime, did possess a firearm, and did aid and abet the use, carrying, and possession of a firearm, to wit, a Beretta .22 caliber semi-automatic pistol.

(Title 18, United States Code, Sections 924(c)(1)(A)(i) and 2.)

FORFEITURE ALLEGATION

5. As a result of committing the offense alleged in Count One this Indictment, MICHAEL EARL RODRIGUEZ (the "defendant"), shall forfeit to the United States, pursuant to Title 21, United States Code, Section 853, any property constituting, or derived from, any proceeds the defendant obtained, directly or indirectly, as a result of the offense and any property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of, the offense alleged in Count One of this Indictment.

SUBSTITUTE ASSET PROVISION

6. If any of the above-described forfeitable property, as a result of any act or omission of the defendant:

- a) cannot be located upon the exercise of due diligence;
- b) has been transferred or sold to, or deposited with, a third person;
- c) has been placed beyond the jurisdiction of the Court;
- d) has been substantially diminished in value; or
- e) has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of the defendant up to the value of the above forfeitable property.

(Title 21, United States Code, Section 853)

Taimur Kayser
FOREPERSON
11/2/15

Preet Bharara
PREET BHARARA
United States Attorney

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

- v. -

MICHAEL EARL RODRIGUEZ,

Defendant.

INDICTMENT

15 Cr.

(Title 18, United States Code, Sections 924(c)(1)(A)(i) and 2;
Title 21, United States Code, Section 846 and 853.)

PREET BHARARA
United States Attorney.

A TRUE BILL

Foreperson.

Taimur Kayser